

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re TERRORIST ATTACKS on  
SEPTEMBER 11, 2001

03 MDL 1570 (RCC)  
ECF Case

*This document relates to:*

*O'Neill v. Al Baraka Inv. & Dev. Corp., 04-CV-1923 (RCC)*

**STIPULATION AND ORDER  
FOR SERVICE OF PROCESS AND SETTING SCHEDULE FOR  
THE NATIONAL COMMERCIAL BANK TO RESPOND TO  
THE FIRST AMENDED COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for Plaintiffs and for Defendant The National Commercial Bank ("NCB"), subject to the approval of the Court, as follows:

1. A copy of the summons and First Amended Complaint, in both Arabic and English, shall be served via Federal Express, or other major carrier, on the Ministry of Foreign Affairs, P.O. Box 55937, Riyadh 11544, Kingdom of Saudi Arabia. A copy of the air bill will be furnished to counsel for NCB. If the carrier will not deliver to a P.O. Box address, then Plaintiffs may use "Nasseria" in place of the P.O. Box and add the telephone number +966 1 407 9255.

2. A copy of the summons and First Amended Complaint, in both Arabic and English, shall be served via Federal Express, or other major carrier, on NCB at its headquarters in Jeddah, Saudi Arabia at the following address: P.O. Box, Jeddah 21481, Kingdom of Saudi Arabia. If the carrier will not deliver to a P.O. Box address, then Plaintiffs may use "King Abdul Aziz St." in place of the P.O. Box. A copy of the airbill will be furnished to counsel for NCB.

3. A courtesy copy of the summons and First Amended Complaint in English shall be served via Federal Express and e-mail on Patton Boggs LLP in Washington, D.C.

4. Plaintiffs shall serve their RICO Statement concerning NCB, as required by Paragraph 7 of the Court's Standing Rules of Practice and in Paragraph 14 of Case Management Order No. 2, not later than thirty (30) days from the date the Court approves this Stipulation and Order.

5. NCB shall have forty-five (45) days from the date on which the Court decides NCB's pending motions to dismiss in *Burnett* (03-CV-9849) and *Ashton* (02-CV-6977) to move to dismiss or, answer the First Amended Complaint.

6. Plaintiffs shall have forty-five (45) days from the date on which it is served with NCB's motion to dismiss to file an opposition, or response if required, to the answer.

7. NCB shall have thirty (30) days from the date on which NCB is served with Plaintiffs' opposition to reply to that opposition.

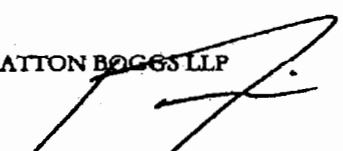
8. The foregoing schedule is without waiver of any of NCB's defenses, including the defense of lack of personal jurisdiction, except that NCB does not challenge the sufficiency of process or the sufficiency of Plaintiffs' service of process on NCB in this case if made in compliance with Paragraphs 1-3 above.

Dated: Washington, D.C.  
November 10, 2004

Dated: New York, NY  
November 11, 2004

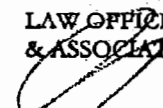
Respectfully submitted,

PATTON BOGGES LLP

  
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*The National Commercial Bank*


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*Counsel for Plaintiffs*

Dated: New York, New York  
November 12, 2004

SO ORDERED:

  
\_\_\_\_\_  
Richard C. Casey  
U.S.D.J. 